App. F. IX-4]

Previous References. (1941.) Legis **File No.** 2-41

Serial Nos. 45, 46

Later References.

19

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for May 1942

SUBJECT.

Notification re: Freezing of Japanese accounts

To, The Compiler Mysore Gazette
No p. 1579 Legis 2-41-45 dated 20-10-41

WD 03999—GPB—500—11-9-41

Notifies that the powers under Rule 116 of the Defence of India Rules shall also be exercisable by the Registrar of joint Stock Companies in Mysore.

617/W.

The reply to this communication should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

URGENT No. F.68-41/W.

FROM

THE SECRETARY
TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
Bangalore.

CHIEF SECRETARY 19 SEP. 1941 GOVT. OF MYSORE.

Dated Bangalore, the 19th Septr. *1941*.

Freezing of Japanese accounts - extent of such accounts held in banks in Indian States.

SIR,

I am directed to say that the Government of India request to be supplied with information regarding the extent of frozen Japanese accounts held in banks in Indian States. I am to request that, if there is no objection, this information together with the names of the banks in which the accounts are held may kindly be supplied urgently for communication to the Government of India.

I have the honour to be,
Sir,
Your most obedient servant,

V. Raman Nayar.
for SECRETARY TO THE RESIDENT.

VN

Serial No.

Subd for perusal and orders as to action he may take in the matter.

RS 23/9

Perhaps the D. G. P. may be asked to collect & send the inform^n. urgently

GA 23/9

Subd with a draft as for his ISP.

RS 23/9

GA 23/9

NOTE—Contn. Sheet.

CHIEF SECRETARY'S 23 SEP 1941 GOVT. OF MYSORE

WD 03967—GPB—5,000—30-8-41

Chief Sy

HK 23/9

Issued No 781/W Dt 23.9.41 to the D. G. P.

Freezing of Japanese Accounts - Extent of such accounts held in Banks in India Stats.

File No. of 194 General and Revenue Secretariat

From The I.G. of Police

F.C. 57/41-42 & 5th Oct. 41 that the information is not available to the Police.

Submitted for perusal. The I.G. has suggested the issue of an order 116 (1) 2 of Defence of India Rules. (Power to obtain information) as suggested by the Registrar, an order has already been issued re: Control over the finances of trade with Japan. Since the Registrar has not suggested to obtain the information by an order it may not be advisable to issue an order. Perhaps the Registrar of Joint Stock Cos may be asked to obtain the information from the Banks in the State. Submitted for orders

(PS 6/+)

Without some statutory power, it is doubtful if the Banks will furnish the information. Unless the Registrar of J.S. Cos has such powers under the Companies Act. he may not be able to collect the information. ~~We have no correct Exact information of~~ An order under Rule 116 ~~was~~ as suggested by I.G.P. may be necessary to get reliable information. The Law Dept. may be consulted to examine the question and the procedure to be adopted

PS 6/10

Chief Sy

'54/W.

'General and Revenue Secretariat | File No. | of 194 | [App. F. III-2

Serial No.

For favour of remarks.

MK
7.10.41

Law Sec'y
With Compts

Hom
2
8/10/41.

The Govt of India desire to know the extent of frozen Japanese accounts held in Banks in Indian States, & as such the Residency wants their information from us in respect of Banks in our State.

Under Act, the Registrar has no power to call for any / all information from the Banks. But under Sec 137 of the Act, he can call for an information or explanation in connection with documents submitted to him under Act, or in connection with complaints or representations made to him by a creditor or a contributory about any fraudulent conduct

Under Sec 134 of the Act, every Banking Co'y has to submit the Balance-Sheet to the Registrar. The "Balance-Sheet" may be construed as a "document" to be submitted to the Registrar under the Act, & as such, the Registrar may, under Sec 137 of the Act, call for the required information in detail, because "Japanese accounts" do form a part of Bank accounts to be considered in making up the Balance Sheet of the Bank

But it may be said that

NOTE—Contn. Sheet.

Serial No.

The Registrar wants the Secretary's Section 137 of the Act to be, for the purpose of Section, & as such, I feel, that the required information may be obtained as suggested by the Deputy Registrar under the powers of Defence of India Rules as applicable to Cheques.

Law Secretary 3
12/10/41

S. 137 of the Companies Act has no application to this case. An order has to be issued under Rule 116 of the Defence of India Rules. A draft notification may be put up.

Hm
13/10/41.

S 116 of the Defence of India Rules contemplates the issue of orders only against individuals or persons and not a general one against Banks generally. Whether the power under this rule may not be delegated to the Registrar of Joint Stock Companies only in this particular case, or whether a list of Banks has to be got from the Registrar and an order issued against each one of them is for consideration. Two alternate draft orders are also put up.

15.10.41.

Law Secy.

Power may be delegated to the Registrar Joint Stock Companies, so that he may obtain the necessary information

Serial No.

by issuing orders under R. 116.

Two drafts which are put up may be approved.

Minister for Law.) The govt order of delegation may issue & the Regr 15.10.41.
J.C. Companies may be registered & generate the right of samples.
The other draft may be sent to him for use by him

15/10

Hm 2 15/10/41.

Jnne 15/10/41.

Jnnes air no P/5790. dgs 2.41.45 d 20.10.41 to the Regr of Stock Companies

letter no P/5881 - dgs 2-41-46 d 20.10.41 to the Registrar

NOTE—Contn. Sheet.

Serial No.

1) The file was referred to the Law Dept to examine whether an order can be issued under the Defence of India Rules as applicable to Mysore, calling for the information required, from the Banks.

RS 17/X

2) Addl Secy Law dept - for favour of intimating WC how the matter stands The ~~xxx~~ question may be kindly treated as very urgent

CPA 17/10.

3) The file was sent to the Law Secretary when in Mysore - does he have it now?

3
17/10 CA

NOTE—Contn. Sheet.

2091

File No. of 194 General and Revenue Secretariat

Serial No.

4) With reference to paras 2 and 3 supra, it is submitted that a letter has been addressed to the Registrar of Joint Stock Companies on the 20th October 1941 from the Legislation requesting him to furnish at an early date the information called for from the Residency. Flag 'A'

The connected file, Legis 2-41-46 is herewith put up for reference.

23/10 This file may be sent to the Legal Sections, to send an interim reply to the Residency.

23/10/1941 Law Secretary

SECY. LAW DEPT. 23 OCT. 1941 GOVT OF MYSORE

Hm 2 23/10/41

Book Seen Legl Sec

An interim reply to the Residency is put up for approval (Draft slip)

24.10.41

Law Secy

Hm 2 25.10.41

Issue Draft

25/10/41

Interim reply dated 25-10-41 to Residency.

* Letter from the Registrar of Joint Stock Companies, No. MSB 181, dated 12th Nov. 1941 stating that the Banks in Mysore have reported that they have no Japanese

* Flag F

Freezing of Japanese accounts - extent of such amounts held in banks in Indian States

410/41

General and Revenue Secretariat R. A. & L. C.

File No. of 194 App. F. III-2

Serial No.

frozen accounts with them.

The Registrar of Joint Stock Companies reports that the Banks in Mysore have stated that they have no accounts in the name of Japanese Nationals and hence no Japanese frozen accounts are with them.

If approved a reply on similar lines may be sent to the Residency.

A draft is submitted for approval

draft may be approved

14-11-41

14.11.41

(Law Secy)

May be approved.

(Minister for Law)

15.11.41

17/11

18.11.41

Issued No. pol. 898 dated 18th November 1941

If approved these may be recorded

1-5-42

1-5-42

NOTE—Contn. Sheet.

URGENT.

No 781/W.

23rd September 1941.

The Inspector-General of Police in Mysore.

Freezing of Japanese accounts - extent of such accounts held in banks in Indian States.

- - - - - - -

I am directed to state that the Residency have written to say that the Government of India have requested that they may supplied with information regarding the extent of frozen Japanese accounts he in banks in Indian States together with the names of the banks in wh the accounts are held. I am to request that the above informati may kindly be furnished urgently to this office, for transmission to the Residency.

I have the honour to be,

Sir,

Your most obedient servant,

For Chief Secretary to Government.

654/W

Tele {gram: POLICE
phone: 2108

POLICE DEPARTMENT.

URGENT.

OFFICE OF THE
INSPECTOR-GENERAL OF POLICE IN MYSORE,

No. F.C.57/41-42.

Bangalore, dated.....October 5, 1941.....

FROM

E. G. B. PEEL, ESQ., C.I.E.,
Inspector-General of Police in Mysore,
Bangalore.

CHIEF SECRETARY
6. OCT. 1941
GOVT. OF MYSORE.

To

The Chief Secretary
to the Government of Mysore, Bangalore.

SIR,

Subject: Freezing of Japanese accounts - extent of such accounts held in banks in Indian States.

With reference to your letter No.781/W dated the 23rd September 1941, I have the honour to state that the desired information is not available to the Police and to suggest that the Government should issue the necessary orders to all Banks under Rule 116(1) of the Defence of India Rules as applied to Mysore.

I have the honour to be,
Sir,
Your most obedient servant,

INSPECTOR GENERAL OF POLICE.

No. P 1579 Legis 2-41-45 — dt 20.10.41

Order

In exercise of the power conferred by sub section (4) of section 2 of the Defence of India Act, as applied to Mysore (XXVI of 1939), the Government of His Highness the Maharaja hereby make the power conferred on them by rule 116 of the Defence of India Rules, as applied to Mysore, shall, in regard to the obtaining of information regarding the extent of foreign Japanese accounts held in Banks in Mysore, be also exercised by the Registrar of Joint Stock Companies in Mysore, Bangalore.

By order &c.,
Secretary to Government
Law Dept

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. P 1579
Legs 2-41-45

General and Revenue Secretariat,
Bangalore Dated 20th October '41

ORDER.

In exercise of the powers conferred by sub-section (4) of Section 2 of the Defence of India Act, as applied to Mysore (XXVI of 1989), the Government of His Highness the Maharaja direct that the power conferred on them by Rule 116 of the Defence of India Rules, as applied to Mysore, shall, in regard to the obtaining of information regarding the extent of frozen Japanese accounts held in Banks in Mysore, be also exercisable by the Registrar of Joint Stock Companies in Mysore, Bangalore.

20/10/41
Secretary to Government,
Law Department.

To

The Registrar of Joint Stock Companies in Mysore,
Bangalore.

Memo no. P 1580 dt 20. 10. 41
To The Dy. S. of Police.

No. mis-c-181
Encl. –

OFFICE OF THE REGISTRAR OF JOINT STOCK COMPANIES IN MYSORE,

Bangalore, dated... .....12th....November.....*1941*.

IMMEDIATE.

FROM

M. Venkatesa Iyengar, Esquire, M.A.,
Registrar of Joint Stock Companies in Mysore,
BANGALORE.

To

V. Vedavyasacharya, Esquire, B.A.,
Secretary to the Government
of His Highness the Maharaja of Mysore,
Development Department,
BANGALORE.

SIR,

Subject:- Freezing of Japanese accounts - extent of accounts held in Banks in Mysore.

With reference to your letter No.P.1581/Legis. 2-41-46 dated the 20th October 1941, on the above subject, I have the honor to state that the Banks in Mysore have reported that they have no accounts in the name of Japanese Nationals and hence no Japanese frozen accounts with them.

I have the honor to be,
S i r,
Your most obedient servant,

M. Venkatesalyengar
REGISTRAR.

GG/2.

Appendix F G–1]
R. A. & L. C.

SUBJECT

Section. Legis

File No.

Serial No.

No.

Diary No. of letter replied to

To
The Secretary
To the Hon'ble the Resident
in Mysore

General and Revenue Secretariat
R. A. & L. C.

( )

Subject: Freezing of Japanese accounts-
extent of such accounts in banks
in Indian States.

Sir,

With reference to your letter
No F 68-41/W dated 19th Sept 1941,
on the above subject
I am directed to state that the
Registrar of Joint Stock Companies
in Mysore has reported ~~in his letter~~
~~No HSC 181 dated 12th Nov 1941~~
13
That the Banks in Mysore have
~~stated that they have~~ no account
in the name of Japanese Nationals
and hence no Japanese frozen
accounts with them.

Date of issue

Signed by

List of enclosures

Copied by

Examined by

20
14-11-41

I have etc
15-11-41
Secretary to Govt
Law Dept.

Post
14/11/41

Pol 1736

25 October 1941.

The

LAW DEPARTMENT.

Subject: Freezing of Japanese accounts - extent of such accounts held in banks in Indian States.

I am directed to acknowledge the receipt of your letter No. F.68-41/W dated 15th October 1941 and to state that the information required has been urgently called for and a reply will be sent on receipt of the same.

I have the honour to be,

Sir,

Your most obedient servant,

25.10.41.

SECRETARY TO GOVERNMENT.
LAW DEPARTMENT.

TN-2)

Rd 898

18th November 1941

The Secretary to the Hon'ble the Resident in Mysore,
Bangalore.

Sir,

Subject:- Freezing of Japanese accounts - extent of such accounts in banks in Indian States.

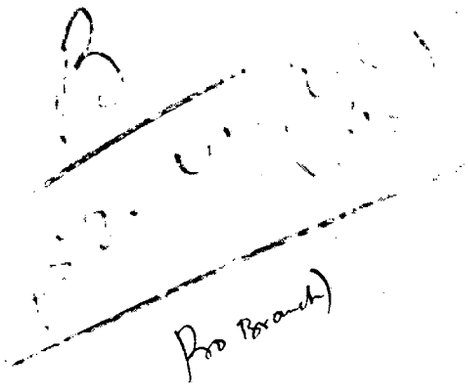
With reference to your letter No.F 68-41/W dated 19th September 1941, on the above subject, I am directed to state that the Registrar of Joint Stock Companies in Mysore has reported that the Banks in Mysore have no accounts in the name of Japanese nationals and hence no Japanese frozen accounts with them.

I have the honour to be,
Sir,
Your most obedient servant,

18.11.41

for Secretary to Government,
Law Department.
18-11-41

SRR



No. P 1581/Lys 2-41-46 20th October 1941.
Enc/

The Registrar of Joint Stock Companies in Mysore,
Bangalore.

Sir,

Subject: Freezing of Japanese accounts - extent of such accounts held in Banks in Mysore.

I am directed to state that the Government of India have requested to be supplied with the information regarding the extent of frozen Japanese accounts held in Banks in Mysore and to request you to kindly secure this information and supply the same to Government as early as possible. An Order delegating to you powers exercisable under Rule 116 of the Defence of India Rules as applied to Mysore has been issued and a copy is sent herewith for information. I am also enclosing draft of an Order under the said ~~Section~~ Rule which may be used by you to secure the information required in case it is found necessary. The matter may be treated as immediate.

I have the honour to be,
Sir,
Your most obedient servant,

Secretary to Government,
Law Department.